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**UNITED STATES PATENT &  
TRADEMARK OFFICE**

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL  
PROPERTY AND DIRECTOR OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
Washington, D.C. 20231

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Paper No. 10

In re application of	:	<b>DECISION ON PETITION</b>
James A. Ditch et al.	:	<b>FOR SECOND SUSPENSION</b>
Application No. 09/238,510	:	<b>OF ACTION UNDER</b>
Filed: January 27, 1999	:	<b>37 CFR 1.103 (a)</b>
For: TIE DOWN FOR WHEELCHAIRS	:	

This letter is responsive to the petition to suspend action under 37 CFR 1.103(a) received on May 15, 2001.


The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

Applicant filed a petition on November 15, 2000 to suspend action by the examiner until an ownership dispute of the parent patent of the above application is settled by the courts. In view of the fact that the outcome of the above-noted litigation had not been decided, the primary examiner suspended prosecution for six (6) months from December 22, 2000, the mailing date of the suspension letter. Since the initial suspension is due to expire shortly, applicant has submitted a request for a second suspension of six (6) months. Since the outcome of the pending litigation has not yet occurred, applicant requests this further suspension for the same reasons set forth in the petition of November 15, 2000.

The resolution of the litigation not having yet been reached, the issues which caused the original suspension remain, and thus applicants' request for an additional period of suspension of six (6) months is reasonable and will be **GRANTED**.

Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period applicant is required to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicant wishes to commence prosecution earlier than the expiration of the 6 month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.



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